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13 EMPLOYEES INSURANCE COMPANY

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15 UNITED STATES DISTRICT COURT

16 EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION
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18 STANLEY ELLIS,

19 Plaintiff,

20 v.

21 GOVERNMENT EMPLOYEE INSURANCE
COMPANY, a Maryland Corporation,

22 Defendant.
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Case No. 2:22-cv-01580-WBS-JDP

JOINT STIPULATION AND ORDER:

**(1) TO CORRECT PARTIES'
INADVERTENT ERROR IN THE
STIPULATION AND ORDER
CONTINUING HEARING ON MOTION
FOR SUMMARY JUDGMENT (DKT. NO.
35.)**

The Hon. William B. Shubb

Trial Date: July 16, 2024

1 Plaintiff STANLEY ELLIS (“Plaintiff”) and Defendant GOVERNMENT EMPLOYEES
2 INSURANCE COMPANY (“Defendant”) (collectively “the Parties”) respectfully submit this
3 Stipulation and [Proposed] Order to the Court for approval.

4 WHEREAS, the Parties submitted a Stipulation and Proposed Order continuing the hearing
5 date and altering the briefing schedule for Defendant’s Motion for Summary Judgment or,
6 alternatively, Partial Summary Judgment, and Plaintiff’s Counter Motion for Summary Judgment
7 on January 22, 2024. Dkt. No. 34.

8 WHEREAS, the Court signed the Parties’ Proposed Order continuing the hearing date and
9 altering the briefing schedule on January 24, 2024. Dkt. No. 35.

10 WHEREAS, the Parties’ Proposed Order contained an inadvertent error in the due date of
11 Plaintiff’s Reply to Defendant’s Opposition to Plaintiff’s Counter-Motion for Summary Judgment.

12 WHEREAS, the Parties Original Stipulation (Dkt. No. 34) stated that Plaintiff’s Reply to
13 Defendant’s Opposition to Plaintiff’s Counter-Motion for Summary Judgment was due no later
14 than February 13, 2024.

15 WHEREAS, the Parties Proposed Order erroneously stated that Plaintiff’s Reply to
16 Defendant’s Opposition to Plaintiff’s Counter-Motion for Summary Judgment is due no later than
17 February 6, 2024, the same day that Defendant’s Opposition to Plaintiff’s Counter-Motion for
18 Summary Judgment is due.

19 WHEREAS, the Parties agree that it is impossible for Plaintiff to submit a Reply to
20 Defendant’s Opposition to Plaintiff’s Counter-Motion for Summary Judgment the same day that
21 Defendant’s Opposition to Plaintiff’s Counter-Motion for Summary Judgment is due.

22 WHEREAS, the Parties offer this Stipulation and Proposed Order to correct the inadvertent
23 mistake regarding the due date of Plaintiff’s Reply to Defendant’s Opposition to Plaintiff’s
24 Counter-Motion for Summary Judgment.

25 THEREFORE, based on the foregoing, the Parties hereby stipulate and agree, and
26 respectfully request that the Court order, as follows:

- 27 1. Plaintiff’s Reply to Defendant’s Opposition to Plaintiff’s Counter-Motion for
28 Summary Judgment will be due on February 13, 2024.

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2 Dated: January 31, 2024

GAVRILOV & BROOKS

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4 By: /s/Matthew R. Richard

5 Ognian Gavrilov
6 Matthew R. Richard
7 Attorneys for Plaintiff STANLEY ELLIS

8 Dated: January 31, 2024

McCORMICK, BARSTOW, SHEPPARD,
WAYTE & CARRUTH LLP

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10 By: /s/James P. Wagoner

11 James P. Wagoner
12 Brandon M. Fish
13 Attorneys for Defendant GOVERNMENT EMPLOYEE
14 INSURANCE COMPANY

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*signed with permission provided 1/31/2024

ORDER

The Court, having reviewed the Parties' Joint Stipulation filed on January 31, 2024, and good cause showing, HEREBY ORDERS as follows:


1. The Court's January 24, 2024 Order Continuing Hearing on Motion for Summary Judgment (Dkt. No. 35) is amended as set forth herein.

2. Plaintiff's Reply to Defendant's Opposition to Plaintiff's Counter-Motion for Summary Judgment will be due no later than February 13, 2024;

3. Except as expressly stated in this Order, all other dates designated in this Court's January 24, 2024 Order Continuing Hearing on Motion for Summary Judgment (Dkt. No. 35) are not altered.

IT IS SO ORDERED.

Dated: February 1, 2024


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE